

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 9, 1995  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:08 p.m. City Manager Jack McGrory announced that the Dolphins' locker room did not have lights during the halftime briefing due to a player smashing his helmet against the electrical switch. Officials were not informed of this until after the game. The meeting was adjourned by Mayor Golding at 6:45 p.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Harvey-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present  
Clerk-Abdelnour/Fishkin (mc)

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) District 2-vacant  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present

ITEM-10: INVOCATION

Invocation was given by Reverend Louis Levinson of the St. Mark's Episcopal Church.

FILE LOCATION: MINUTES

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ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Dianne Thompson, owner of the RHI Skate Center, requesting the City Council's assistance in organizing a meeting with the decision makers from the City and County of San Diego to assist in achieving a reasonable solution for their problems pertaining to City permits and MTDB.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A075-107.)

PUBLIC COMMENT:

ITEM-PC-2:

Comment by Don Stillwell regarding Income versus Wages.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A109-137.)

PUBLIC COMMENT:

ITEM-PC-3:

Comment by Terry Quast commending San Diego Police Officer, Michael Davis for a job well done. He also encouraged the City Council to have a goal or vision to improve San Diego and to have a "Police Appreciation Week" on the first week of October.

FILE LOCATION: AGENDA

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COUNCIL ACTION: (Tape location: A138-166.)

PUBLIC COMMENT:

ITEM-PC-4:

Comment by Mike Holder, representing the Midway Association, requesting that the City Council reconsider their action taken on December 13, 1994, with regard to the North Interceptor Sewer Project - Open Trench versus Tunneling issue, due to the fact that all of the merchants were not notified.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A167-181.)

PUBLIC COMMENT:

ITEM-PC-5:

Comment by Bob Scheidt regarding the propaganda relating to the Randy Weaver case.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A182-213.)

PUBLIC COMMENT:

ITEM-PC-6:

Comment by Joyce Abrams regarding the parking violation process.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A214-249.)

PUBLIC COMMENT:

ITEM-PC-7:

Comment by Jim Varnardore regarding the Miramar

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Manchester International Airport and the City Council's approval of the SANDAG Aviation Study.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A250-272.)

PUBLIC COMMENT:

ITEM-PC-8:

Comment by Charlena Alden regarding "Operation Ignite the Spirit for Legal Reform."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A274-304.)

PUBLIC COMMENT:

ITEM-PC-9: REFERRED TO CITY MANAGER

Comment by Gary Hill regarding the incident when he was denied access to the City Administration Building. He also requested that the City and County of San Diego call for a Special Election to fill the vacancies left by Ron Roberts and Brian Bilbray.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A305-340.)

PUBLIC COMMENT:

ITEM-PC-10:

Comments by Eddie Smith, Jr., Reverend Timothy Winters, Reverend L. T. McKinney, Sr., Nelson Roberts and James Stancil, requesting that the City Council reconsider and appoint Council Member George Stevens to serve on the Private Industry Council.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A345-431.)

PUBLIC COMMENT:

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ITEM-PC-11:

Comment by Ben Linker regarding Acacia Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A437-466.)

COUNCIL COMMENT:

ITEM-CC-1:

Comment by Council Member McCarty acknowledging and welcoming the Cub Scouts of Pack 905 from Vista Grande School in Tierrasanta.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A469-479.)

COUNCIL COMMENT:

ITEM-CC-2:

Comment by Council Member McCarty requesting that the City Manager refer to the PF&R Committee, as an information item unless the funds will be coming out of the Park and Recreation budget, the cost involved to repair the damages to Balboa Park that was caused by the storm. Report should include where the money is coming from and the effect this project will have on the Park and Recreation budget.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A480-501.)

COUNCIL COMMENT:

ITEM-CC-3:

Comment by Council Member Stevens regarding a letter printed by the San Diego Union Tribune which pointed out that 59,472 African Americans lost jobs in the private sector within a two-year period of time during the recession period while other ethnic groups gained jobs. He stated that representation is needed on the board for a person of ethnicity. He also pointed out the importance of having job training programs and representation that will allow for the

recovery of some of the jobs lost in America. He requested that consideration be given to those that appealed to the City Council on his behalf.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A502-557.)

COUNCIL COMMENT:

ITEM-CC-4:

Comment by Council Member Stevens regarding the Speak San Diego Program. He also commended Dave Nuffer and Donna Nenow for their participation in launching the program.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A558-607.)

COUNCIL COMMENT:

ITEM-CC-5:

Comment by Mayor Golding announcing that she will continue the two-year tradition of wagering a bet with the Mayor of Pittsburgh that San Diego will win the football game.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A608-B014.)

ITEM-30: ACCEPTED

Mayor Golding and I Love a Clean San Diego to jointly accept "Best Overall National Program" from Keep America Beautiful.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B022-045; B059-080.)

ITEM-31:

SUBJECT: Jewish Education Week.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-95-945) ADOPTED AS RESOLUTION R-285141

Commending The Agency for Jewish Education for sponsoring Jewish educational activities and the preservation of the Jewish heritage; Proclaiming February 3-12, 1995 to be "Jewish Education Week" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B081-121.)

MOTION BY STALLINGS TO ADOPT ITEMS 31 AND S400. Second by Warden. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-50:

SUBJECT: Compromise Agreement and Mutual Release between the City of San Diego and Pacific Bell.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was reintroduced as amended on 12/12/94. (Council voted 6-1. District 4 voted nay. District 3 ineligible. District 8 not present):

(O-95-27) ADOPTED AS ORDINANCE O-18131 (New Series)

Approving the Compromise Agreement and Mutual Release between the City of San Diego and Pacific Bell pursuant to Section 103.1 of the Charter of the City of San Diego, concerning the provision of Video Dialtone Service (VDT) along and upon the public streets, ways, alleys and places within the City of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the

following vote: Mathis-yea, District 2-vacant, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-51:

SUBJECT: Lease with San Diego Visitor Information Center.  
(Mission Bay Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
12/12/94.

(Council voted 8-0. District 8 not present):

(O-95-72) ADOPTED AS ORDINANCE O-18132 (New Series)

Authorizing a 20-year lease with San Diego Visitor  
Information Center in Mission Bay Park.

NOTE: 6 votes required.

FILE LOCATION: LEAS - San Diego Visitor Information Center  
LEASFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND  
ADOPT ORDINANCE. Second by Stallings. Passed by the  
following vote: Mathis-yea, District 2-vacant, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

\* ITEM-52:

SUBJECT: CHANGE 2 and Citywide STEP Recommendations Regarding  
the Purchasing Process and Limits.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on  
12/12/94. (Council voted 8-0. District 8 not present):

(O-94-17 Cor. Copy) ADOPTED AS ORDINANCE O-18133 (New  
Series)



Amending Chapter II, Article 2, Sections 22.0226 and 22.0504 of the San Diego Municipal Code, related to Purchasing Process and Limits, to increase the City Manager's authorization to award non-architectural and non-engineering contracts and increasing the Purchasing Agent's authority to make awards for purchasing contracts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea (nay on portion relating to purchase and authority to increase from \$50,000 to \$1,000,000), Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-53:

SUBJECT: Streamlining and Efficiency Program (STEP)  
Recommendations Regarding the Capital Improvements  
Program (CIP).

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced as amended on 12/12/94. (Council voted 8-0. District 8 not present):

(O-95-67) ADOPTED AS ORDINANCE O-18134 (New Series)

Amending Chapter II, Article 2, Sections 22.0209 and 22.0211 of the San Diego Municipal Code, relating to Purchasing Process and Limits, to increase the City Manager's authority to approve construction contract alterations (Change Orders), and the authority to approve the award of construction contracts.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-54:

SUBJECT: Ten actions related to Regulatory Relief.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 12/13/94. (On Subitems A,C,D,E,F,G,H,I and J, Council voted 7-0. Councilmember Vargas and Mayor Golding not present. On Subitem B, Council voted 6-1. Councilmember Stallings voted nay; Councilmember Vargas and Mayor Golding not present):

Subitem-A: (O-95-32) ADOPTED AS ORDINANCE O-18135 (New Series)

Amending Chapter VI, Article 2, Division 2, of the San Diego Municipal Code, by amending Section 62.0205, relating to Public Rights-of-Way.

Subitem-B: (O-95-33) ADOPTED AS ORDINANCE O-18136 (New Series)

Amending Chapter X, Article 2, of the San Diego Municipal Code by amending Division 2, Section 102.0201, and by amending Division 3, Section 102.0301, both relating to Vesting Tentative Maps.

Subitem-C: (O-95-34) ADOPTED AS ORDINANCE O-18137 (New Series)

Amending Chapter X, Article 2, Division 2, of the San Diego Municipal Code, by amending Section 102.0203, relating to Final Map Certificates.

Subitem-D: (O-95-41) ADOPTED AS ORDINANCE O-18138 (New Series)

Amending Chapter IX, Article 1, Division 3, of the San Diego Municipal Code by amending Section 91.0304; amending Chapter IX, Article 2, Division 3 of the San Diego Municipal Code by amending Section 92.0303; and amending Chapter IX, Article 3, Division 4 of the San Diego Municipal Code by amending Section 93.0402 all relating to Penalty Fees.

Subitem-E: (O-95-35) ADOPTED AS ORDINANCE O-18139 (New Series)

Amending Chapter X, Article 1, Division 11, of the San Diego Municipal Code, by amending Sections 101.1120.1, 101.1120.2 and 101.1120.4, relating to Sign Permits.

Subitem-F: (O-95-36) ADOPTED AS ORDINANCE O-18140 (New Series)

Amending Chapter IX, Article 1, Division 29, of the San Diego Municipal Code, by amending Section 91.2905, relating to Foundation Investigation.

Subitem-G: (O-95-37) ADOPTED AS ORDINANCE O-18141 (New Series)

Amending Chapter IX, Article 1, Division 3, of the San Diego Municipal Code, by amending Section 91.0301(b)(18), relating to Building Permits.

Subitem-H: (O-95-38) ADOPTED AS ORDINANCE O-18142 (New Series)

Amending Chapter IX, Article 1, Division 3, of the San Diego Municipal Code, by amending Section 91.0301(b)(12), relating to Building Permits.

Subitem-I: (O-95-39) ADOPTED AS ORDINANCE O-18143 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code, by amending Section 101.0580, relating to Child Care Facilities.

Subitem-J: (O-95-42) ADOPTED AS ORDINANCE O-18144 (New Series)

Amending Chapter V, Article 5, Division 7, of the San Diego Municipal Code, by adding Section 55.0781.0107, relating to Curtain Boards.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359; F324-389.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES FOR SUBITEMS A THROUGH E AND SUBITEMS G THROUGH J. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea (nay on Subitem B), McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES FOR SUBITEM F AND FOR ITEM 57 AND ADOPT THE RESOLUTION FOR ITEM S403. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-55:

SUBJECT: Two actions related to the First Amendment to the Redevelopment Plan for the Centre City Redevelopment Project (Ralphs Grocery Store and Parking Structure.) (Conditional Marina Planned District Permit No. 94-0452. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances which were introduced on 12/6/94.

(Council voted 8-0. District 8 not present):

Subitem-A: (O-95-69) ADOPTED AS ORDINANCE O-18145 (New Series)

Approving and adopting the First Amendment to the Redevelopment Plan for the Centre City Redevelopment Project.

Subitem-B: (O-95-48) ADOPTED AS ORDINANCE O-18146 (New Series)

Amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2011 relating to use classifications for the Marina Planned District.

FILE LOCATION: Subitem A: LAND - Centre City Redevelopment Project; Subitem B: LAND - Marina Planned District

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-56:

SUBJECT: Four actions related to the Centre City, Gaslamp Quarter, and Marina Planned District Ordinances, Centre City Parking Regulations and Related Centre City Community Plan Amendments.  
(Districts-2, 3, & 8.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinances. Subitem A below was introduced as amended on 12/6/94; Subitems B, C and D were introduced. (Council voted 6-0. Districts 7, 8 and Mayor not present):

Subitem-A: (O-94-116 REV.) ADOPTED AS ORDINANCE O-18147  
(New Series)

Amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Sections 103.1902, 103.1904, 103.1906, 103.1915, and 103.1919 relating to the Centre City Planned District Regulations.

Subitem-B: (O-94-117) ADOPTED AS ORDINANCE O-18148 (New Series)

Amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Sections 103.2005, 103.2011, and 103.2013 relating to the Marina Planned District Regulations.

Subitem-C: (O-95-46) ADOPTED AS ORDINANCE O-18149 (New Series)

Amending Chapter X, Article 3, Division 4, of the San Diego Municipal Code by amending Sections 103.0404 and 103.0405 relating to the Gaslamp Quarter Planned District.

Subitem-D: (O-95-47) ADOPTED AS ORDINANCE O-18150 (New Series)

Amending Chapter X, Article 3, Division 19, of the San Diego Municipal Code by amending Section 103.1936 relating to the Centre City Parking Regulations.

FILE LOCATION: Subitem A & D: LAND - Centre City Planned District; Subitem B: LAND - Marina Planned District; Subitem C: LAND - Gaslamp Quarter Planned District

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-57:

SUBJECT: Rezoning for the Park Trade Project.  
(RZ-92-0610. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 12/6/94. (Council voted 6-0. Districts 7, 8 and Mayor not present):

(O-95-70 REV.1) ADOPTED AS ORDINANCE O-18151 (New Series)

Rezoning various properties located in the Sorrento Hills Community Plan Area, into the OS-P, R1-5000, R-1500, M-IP, M-1B and M-1A Zones.

FILE LOCATION: PERM - PRD-91-0361; PRD-92-0610;  
PRD-93-0142

COUNCIL ACTION: (Tape location: F324-389.)

MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCES FOR ITEMS 54F AND 57 AND ADOPT THE RESOLUTION FOR ITEM S403. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-100:

SUBJECT: Awarding a Contract for Spare Parts for Philadelphia Gear Corporation Brand Gear Box.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-483) ADOPTED AS RESOLUTION R-285142

Awarding a contract to Motion Industries, Inc. (San Diego), for the purchase of spare parts for Philadelphia Gear Corporation Brand Gear Box, for a total estimated cost of \$114,479.30, including tax and terms;

Authorizing the expenditure of not to exceed \$114,479.30 from Fund No. N/A, Dept. 700, Organization No. 501, Object Account No. 4212, Job Order No. 002411;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-E4504/95) Aud. Cert. 9500462.

FILE LOCATION:           CONT - Purchase - Motion Industries, Inc.  
                              (San Diego)     CONTFY95-1

COUNCIL ACTION:               (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101:

SUBJECT: Awarding a Contract for Medical Supplies.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-893)     ADOPTED AS RESOLUTION R-285143

Awarding a contract to Normed (Seattle, WA) and EMS Medical Products (Los Alamitos, CA), for medical supplies, as may be required for a period of one year beginning December 15, 1994 through December 14, 1995, for a total estimated cost of \$86,132, including tax and terms, as follows:

1. Normed (Seattle, WA) for Section I - Central Stores - Storerooms and Section III - Fire Department - Storeroom, with options to renew the contract for three additional one year periods at prices not to exceed 10 percent of prices in effect at the end of prior contract periods;

2. EMS Medical Products (Los Alamitos, CA), for  
Section II - First Aid Kit packed in Canvas Bags, with  
options to renew the contract for three additional one  
year periods at prices not to exceed 5 percent in  
effect at the end of prior contract periods.  
(BID-I4555/95)

FILE LOCATION:           CONT - Purchase - Normed (Seattle, WA); EMS  
Medical Products (Los Alamitos, CA)  
CONTFY95-2

COUNCIL ACTION:       (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-102:

SUBJECT: Awarding a Contract for Rental and Service of Solvent  
Tanks.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-894)   ADOPTED AS RESOLUTION R-285144

Awarding a contract to Mantek (San Diego) for  
furnishing rental and service of solvent tanks, as may  
be required for a period of one year beginning  
September 1, 1994 through August 31, 1995, with options  
to renew the contract for four additional one year  
periods, for an estimated cost of \$63,250, including  
tax. (BID-Q4465/95)

FILE LOCATION:           CONT - Purchase - Mantek (San Diego)  
CONTFY95-1

COUNCIL ACTION:       (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.



\* ITEM-103:

SUBJECT: Inviting Bids for Construction of South Shores - Phase  
II Mitigation. (Mission Bay Community Area.  
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-778) ADOPTED AS RESOLUTION R-285145

Inviting bids for the Construction of South Shores -  
Phase II Mitigation on Work Order No. 119601A;  
Authorizing a contract with the lowest responsible  
bidder;

Authorizing the expenditure of \$224,727 from  
CIP-22-024.2 South Shores Development - Phase II,  
Capital Outlay Fund No. 302453;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-K95057)

CITY MANAGER SUPPORTING INFORMATION:

Mission Bay South Shores - Phase II Mitigation is located at two  
different sites: A) at the north end of Fiesta Island; and B) at  
the southeast corner of Ingraham Street and Sea World Drive.  
This project will create a 10-acre seasonally inundated wetland  
mitigation area at Location A and upgrade the existing similar  
mitigation at Location B. The mitigation improvements are a  
requirement of the current U.S. Army Corps of Engineers permit  
for South Shores - Phase II, to mitigate impacts resulting from  
construction of the previous South Shores - Phase I project.  
Aud. Cert. 9500507.

FILE LOCATION: W.O. 119601A CONT - CGC Construction Inc.  
CONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-104:

SUBJECT: Inviting Bids for Construction of Traffic Signal and  
Street Lighting Improvements at Various Locations.  
(Corridor and Memorial Community Areas. Districts-3 & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-777) ADOPTED AS RESOLUTION R-285146

Inviting bids for the Improvement of Traffic Signal and  
Street Lighting Systems at Various Locations on Work  
Order No. 112485;

Authorizing a contract with the lowest responsible  
bidder;

Authorizing the Auditor and Comptroller to transfer  
\$6,000 from CIP-52-327.0, AA-Safety All-Weather  
Walkways, TransNet Fund 30300 to CIP-62-001.0, and to  
expend \$116,000 from CIP-62-001.0, Annual Allocation  
-High Accident Locations, TransNet Fund 30300;

Authorizing the Auditor and Comptroller, upon advice  
from the administering department, to retain excess  
monies, if any, in CIP-62-001.0. (BID-K95056)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program Project to improve  
traffic signal systems at high accident locations provides for  
the addition and upgrade of various traffic signal equipment  
items. Traffic signal improvements at various locations include  
the addition of emergency vehicle detection and pedestrian or  
vehicular indicators to provide for the safe passage of emergency  
equipment, pedestrians, and vehicles through the intersection.  
Traffic signal upgrades include relocation and installation of  
larger vehicular indicators. The locations are identified and  
prioritized based on the number and type of accidents occurring  
at intersections throughout the City. The four locations  
included in this project are: 1) 30th Street and  
Imperial Avenue; 2) 32nd Street and National Avenue; 3) El Cajon  
Boulevard and Fairmount Avenue, and 4) 28th Street and Ocean View  
Boulevard.

Aud. Cert. 9500608.

FILE LOCATION: W.O. 112485 CONT - Southwest Traffic Signal

Service, Inc.            CONTFY95-1

COUNCIL ACTION:            (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-105:

SUBJECT: Easement Grant to San Diego Gas & Electric Company for  
Mesa Grande Housing Authority.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-904)    ADOPTED AS RESOLUTION R-285147

Authorizing the execution of a deed conveying to San  
Diego Gas & Electric Company an easement for electrical  
service to the Mesa Grande Housing Authority across a  
portion of City-owned land near Sutherland Reservoir.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Gas & Electric Company will be providing new service to  
the Mesa Grande Housing Authority, and has requested an easement  
from the City. The easement will cross a portion of City  
property near Sutherland Reservoir, and will give SDG&E the right  
to erect and maintain a 12KV distribution line. The easement is  
1,500 feet in length and 12 feet wide. The easement has been  
reviewed and approved by the City's Water Utilities Department.  
An appraisal of the easement as of July 21, 1994 indicates a  
value of \$2,000. City staff has reviewed and approved the  
appraised value.

FILE LOCATION:            DEED - F-6413    DEEDFY95-1

COUNCIL ACTION:            (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106:

SUBJECT: Public Utility Easement Abandonment.  
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-911) ADOPTED AS RESOLUTION R-285148

Vacating the City's interest in a public utility easement in Parcels 1 and 2 of Parcel Map PM-17292. CITY MANAGER SUPPORTING INFORMATION: An application has been received by the Engineering Department for abandonment of a 10-foot-wide public utility easement that encumbers property at 1702 Soledad Avenue, La Jolla. The easement was acquired by the City of San Diego at no cost by Subdivision Map. The easement has been reviewed by all affected City departments and all have concluded there is no present or prospective public need for the easement. Therefore, abandonment is recommended.

FILE LOCATION: DEED F-6414 DEEDFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107:

SUBJECT: Quitclaim Deed for Revestment of Abutter's Rights of Access on Palomar P.I.R.D. Map-13152.  
(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-657) ADOPTED AS RESOLUTION R-285149

Authorizing the execution of a quitclaim deed, with Mercado Associates, Inc., effecting the revestment of abutter's rights of access in and to Fay Avenue of Lot

No. 4 of Palomar P.I.R.D. Map-13152.

FILE LOCATION: DEED F-6415 DEEDFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108:

SUBJECT: Eagle Scout Highest Honor.

COUNCILMEMBER STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-95-961) ADOPTED AS RESOLUTION R-285150

Proclaiming Saturday, December 17, 1994 to be "Mr. Alex  
E. Racelis Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109:

SUBJECT: Records Disposition Schedule for City Council District  
4.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-95-937) ADOPTED AS RESOLUTION R-285151

Adopting the Records Disposition Schedule for records

maintained by City Council District 4. SUPPORTING INFORMATION: This is a request that the City Council approve a resolution creating the Records Disposition Schedule for City Council District 4. The Records Disposition Schedule was developed by the Records Management Section of the City Clerk's Office and the staff of Council District 4. The development of this Schedule will (1) ensure that City Council District 4's important records are retained in accordance with the City's legal, administrative, fiscal, and historical needs, and (2) provide authority for the transfer of inactive records to storage and/or destruction, thus freeing up valuable office space. Other benefits to be realized by the creation of this Schedule include a reduction in the quantity of duplicate records which are maintained by Council Districts; descriptions which give the Council District an historical and comprehensive view of the records it generates; and aid in the improvement of filing systems, allowing greater control over the current record keeping system. Records Management staff is continuing work on the development of departmental Schedules as a key to providing a systematic control of paperwork and records creation, maintenance, usage and disposition. The approval of this Record Disposition Schedule will be the thirty-second completed to date - and the seventh City Council District - covering a total of 17,000 cubic feet of records and 1,100 different record series.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110:

SUBJECT: Spousal Abuser Prosecution Program Grant.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-95-970) ADOPTED AS RESOLUTION R-285152

Authorizing the City Attorney to accept a \$60,000 Spousal Abuser Prosecution Program (SAPP) Grant from the State of California Department of Justice; Holding the Department of Justice and the State of California harmless for any liability arising out of the performance of the grant agreement, including court actions or damages.

CITY ATTORNEY'S SUPPORTING INFORMATION:

On November 13, 1994, the City Attorney's Child Abuse/Domestic Violence Unit received notification that they have been awarded a \$60,000 grant from the California Department of Justice for the prosecution of domestic violence cases. The money will be used to enhance the advocacy and investigative efforts of the Unit. The grant award is contingent upon City Council approval. The proposed resolution authorizes the City Attorney to enter into a grant award agreement with the Department of Justice. It also indemnifies the Department of Justice from any civil suits which might arise from the City Attorney's use of the funds. Time is critical in this matter.

The City Attorney must provide City Council authorization to the Department of Justice by January 13, 1995 or risk losing the grant monies. All other requirements for receiving the money have been satisfied.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111:

SUBJECT: Legal Resource Centers Grant Program.  
(City Heights and San Ysidro Community Areas.  
Districts-3 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-919) ADOPTED AS RESOLUTION R-285153

Authorizing the City Manager or his designee to apply

for, accept, and administer grant funds from the California State Library to establish Legal Resource Centers.

CITY MANAGER SUPPORTING INFORMATION:

The San Diego Public Library has been invited to apply for Library Services and Construction Act (LSCA) funds to establish Legal Resource Centers as a continuation of the Library's Partnerships for Change Program. The grant award will enable the East San Diego and San Ysidro Branch Libraries to purchase legal literacy materials. The program specifically targets basic legal rights and responsibilities of California residents. This grant will allow the Library to increase its collection size, strengthen community coalitions and enhance the Library's reputation as a responsive civic leader.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112:

SUBJECT: Addition to FY 95 CIP.  
(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-921) ADOPTED AS RESOLUTION R-285154

Modifying the Fiscal Year 1995 Capital Improvements  
Program budget by adding CIP-29-824.0, Villa La Jolla  
Park - Additional Improvements;

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$59,480 from PSD Fund  
11480 to CIP-29-824.0, Villa La Jolla Park - Additional  
Improvements.

CITY MANAGER SUPPORTING INFORMATION:

Villa La Jolla Park is located on the east side of Via Mallorca  
at Via Marin in the University Community Planning Area. The park



was developed in 1979. Lighting was added in 1983 and the tot lot was revised in 1990. The proposed new CIP project will provide additional benches, trees and other minor improvements to the park.

Aud. Cert. 9500595.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113:

SUBJECT: Two actions related to Additional Funding for Sail Bay  
Development- Phase IV.

(Mission Bay Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-934) ADOPTED AS RESOLUTION R-285155

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$37,000 from Mission Bay Park Fund No. 10504,  
to CIP-22-076.0, Sail Bay Development - Phase IV;  
Authorizing the expenditure of not to exceed \$37,000  
from CIP-22-076.0, Sail Bay Development - Phase IV, for  
the purpose of supplementing the funding previously  
authorized by Resolution Nos. R-281307 and R-282107.

Subitem-B: (R-95-935) ADOPTED AS RESOLUTION R-285156

Stating for the record that information contained in  
Environmental Impact Report EQD-88-1071 including any  
comments received during the public review process, if  
any, has been reviewed and considered by Council for  
the City as Lead Agency concerning Sail Bay Development  
- Phase IV.

CITY MANAGER SUPPORTING INFORMATION:

Sail Bay Development - Phase IV is located at the northerly end of Sail Bay in Mission Bay Park. This project provides for the construction of a pedestrian bridge crossing Briarfield Cove. Construction of the bridge has been completed. Unforeseen subsurface conditions caused construction delays during driving of the concrete piles for the bridge abutments. The delays resulted in additional construction costs in excess of the available contingency reserve. An additional \$37,000 is needed to supplement the contingency reserve in order to cover anticipated change orders and complete the project.  
Aud. Cert. 9500621.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114:

SUBJECT: Additional Funding for Hospitality Point Picnic  
Shelter.  
(Mission Bay Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-915) ADOPTED AS RESOLUTION R-285157

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$10,000 from Mission  
Bay Park Fund No. 10504 to CIP-22-089.0, Hospitality  
Point Picnic Shelter;

Authorizing the expenditure of not to exceed \$10,000  
from CIP-22-089.0, Hospitality Point Picnic Shelter,  
Mission Bay Park Fund No. 10504, to supplement the  
funds previously authorized by Resolution R-282570.

CITY MANAGER SUPPORTING INFORMATION:

The Hospitality Point Picnic Shelter in Mission Bay Park has been completed.

An additional \$10,000 is needed for change orders processed

during construction of the project. Change orders were needed due to changes in the scope of work as a result of unforeseen site conditions (such as existing irrigation encountered, which was relocated and repaired), and upgrading of new landscaping and shelter hardware.

Aud. Cert. 9500596.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115:

SUBJECT: Agreement with The Corrao Group to Perform Engineering  
Services for San Carlos Water Pump Station  
Improvements.  
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:  
Adopt the following resolution:

(R-95-920) ADOPTED AS RESOLUTION R-285158

Authorizing an agreement with The Corrao Group, for  
engineering design services in connection with the San  
Carlos Water Pump Station Improvements;

Authorizing the expenditure of not to exceed \$139,865  
from Water Revenue Fund 41500, CIP-73-263.0, Annual  
Allocation - Water Pump Station Restorations.

CITY MANAGER SUPPORTING INFORMATION:

This agreement is for Engineering Design Services for the upgrade of San Carlos Water Pump Station. The improvements for the Station will increase the pumping capacity, improve reliability with the replacement of deteriorated equipment, and improve access for maintenance by expansion of the underground vault. Project design by a consultant is recommended to provide adequate staff with sufficient expertise. A list of five consultants was provided by the City's Consultant Coordinator. The consultants were interviewed in accordance with Council Policy 300-7 and The Corrao Group (WBE) was selected. Corrao's responsibilities will

include preliminary and final design; preparation of construction plans, specifications and cost estimate; and support services during bidding and construction for a contract amount not to exceed \$139,865. Project Subconsultants are: BDK Engineering, electrical \$15,330; and Simon Wong Engineering (MBE), structural \$11,880.

Aud. Cert. 9500606.

WU-U-95-052.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-116:

SUBJECT: Agreement for Environmental Services in Connection with  
the Navajo Canyon Emergency Revegetation Project.  
(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-960) ADOPTED AS RESOLUTION R-285159

Authorizing an agreement with Cotton/Beland/Associates,  
Inc., for environmental services in connection with the  
Navajo Canyon Emergency Revegetation Project;

Authorizing the City Auditor and Comptroller to  
transfer an amount not to exceed \$48,671 within Sewer  
Revenue Fund No. 41506, from Program Element 70697,  
Unallocated Reserve, to Program Element 70820;  
Authorizing the expenditure of not to exceed \$48,671  
from Sewer Revenue Fund No. 41506, Program Element  
70820.

CITY MANAGER SUPPORTING INFORMATION:

This agreement will provide for revegetation and biological  
monitoring for a period of 5 years to insure the growth of the  
native vegetation in all impacted areas due to an emergency sewer

break repair in 1993. Five firms were selected from the "As-Needed" list of environmental services by the Consultant Selection Coordinator on April 20, 1994. Two firms declined to be interviewed.

The three remaining firms were interviewed on May 26, 1994. In accordance with Council Policy 300-7, Cotton/Beland/Associates, Inc. was selected for this project. The environmental firm of Pacific Southwest Biological Services (PSBS) will perform 69 percent of the work. Hydroplant, a WBE firm, will perform 14 percent of the work, while Habitat West, a WBE firm, will perform 2 percent of the work. Dirt Works, a grading and maintenance firm will perform 2 percent of the work.

Aud. Cert. 9500639.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117: CONTINUED TO FEBRUARY 13, 1995

SUBJECT: Financial Advisory Services - San Diego Chargers  
Negotiations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-95-938)

Authorizing an amendment to the contract with Public  
Financial Management (PFM) to provide the following  
services:

Public Financial Management will provide the City with  
more detailed analysis and assist with potential  
negotiations with the San Diego Chargers Football Club  
concerning use and occupancy of the Stadium;

Public Financial Management (PFM) will continue to  
prepare cash flow projects based on the current lease  
and the proposed lease(s) to quantify the impact to all  
parties (specifically the City, Chargers and Padres)

for lease changes. PFM will also continue to research the NFL industries to obtain information on practices and standards for business relationships among NFL franchises and stadium operators;

Public Financial Management's (PFM) term of service will include a review of all information pertaining to the Chargers negotiations and documented analysis of the negotiations under various conditions, as requested by the City;

Authorizing the expenditure of an additional \$25,000 from the Stadium Operations Fund, extending the current contract from \$25,000 to \$50,000.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego requires financial advisory services with respect to negotiations with the San Diego Chargers Football Club. Public Financial Management (PFM) was hired by the City Manager in August to provide these services; however, further funding is required for this project. Approval of the additional funding will enable the City to amend PFM's contract so that PFM can provide the City with more detailed analysis and to assist with potential negotiations with the San Diego Chargers Football Club concerning use and occupancy of the Stadium. This additional work was approved by the City Council in closed session; formal approval would extend PFM's current contract of \$25,000 to \$50,000. PFM will continue to prepare cash flow projections based on the current lease and the proposed lease(s) to quantify the impact to all parties (specifically the City, Chargers and Padres) for lease changes. PFM will also continue to research the NFL industries to obtain information on practices and standards for business relationships among NFL franchises and stadium operators. The Financial Advisor will report to the City's internal negotiating team which consists of the City Manager, Financial Management Director, City Attorney and relevant department staff. The Financial Advisor's term of service will include a review of all information pertaining to the Chargers negotiations and documented analysis of the negotiations under various conditions, as requested by the City. Aud. Cert. 9500636.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO CONTINUE TO FEBRUARY 13, 1995, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second

by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118:

SUBJECT: Agreement with Rainbow Arts Project (RAP).  
(Logan Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-917) ADOPTED AS RESOLUTION R-285160

Authorizing an agreement with Rainbow Arts Project, for design of an art awareness building at 729 South 32nd Street;

Authorizing an expenditure of not to exceed \$25,000 from Community Development Block Grant (CDBG), Fund 18530, Dept. 4062, Org. 6215, Job Order 112534.

CITY MANAGER SUPPORTING INFORMATION:

The Rainbow Art Project (RAP) is a neighborhood anti-tagger, self esteem program. The program seeks to provide a suitable facility for a neighborhood arts program; provide public facilities for recreation, enjoyment, and improvement of community spirit. RAP will specifically target "taggers," disaffected youth who spray paint personal or gang related identification on local facilities. RAP is intended to be a non-profit organization under 501(c)(3), but has not yet received notification from the Secretary of State, California Board of Equalization, of the Internal Revenue Service. The expenditure of \$25,000 in Community Development Block Grant (CDBG) funding will provide for the conceptual and preliminary design of this facility. On May 9, 1994, the City Council adopted Resolution R-282845 granting CDBG funding for this project.

Aud. Cert. 9500619.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-119:       TRAILED TO TUESDAY, JANUARY 10, 1995

SUBJECT:   Contract Change Orders No. 10 and 11 and Second  
          Amendment to the Consultant Agreement for Construction  
          of Mission Beach Drainage Phase I Pump Station.  
          (Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-95-916)

Authorizing a Second Amendment to the Consultant  
Agreement with Rick Engineering, for Mission Beach  
Drainage, CIP-11-226;

Approving Change Order No. 10 with Hunter  
Corporation, increasing the contract price by  
\$172,883.42;

Approving Change Order No. 11 with Hunter Corporation,  
increasing the contract price by \$89,000;  
Authorizing the Auditor and Comptroller to transfer not  
to exceed \$76,000 from CIP-58-004.0, TransNet Fund  
30300 Annual Allocation - Miscellaneous Requirements -  
City Streets to Mission Beach Drainage, CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$56,883.42 from CIP-52-545.0, Annual  
Allocation - Coastal Erosion Affecting City Streets,  
TransNet Fund 30300 to Mission Beach Drainage,  
CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$246,000 from CIP-17-002.0, Annual Allocation  
- Storm Drain Project Not Yet Identified, TransNet Fund  
30300 to Mission Beach Drainage, CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$83,000 from CIP-18-001.0, Annual Allocation  
- Cooperative Storm Drain Projects, TransNet Fund 30300  
to Mission Beach Drainage, CIP-11-226;

Authorizing the expenditure of not to exceed \$200,000  
from CIP-11-226, Mission Beach Drainage, TransNet Fund  
30300, for the purpose of executing the Second  
Amendment to the Consultant Agreement;



Authorizing the expenditure of not to exceed  
\$261,883.42 from CIP-11-226, Mission Beach Drainage,  
TransNet Fund 30300, for the purpose of executing  
Construction Change Orders No. 10 and 11.

CITY MANAGER SUPPORTING INFORMATION:

On September 18, 1989 by Resolution No. R-274407 the City Council authorized an agreement with Rick Engineering Company to provide construction documents for the Mission Beach Drainage Improvement Project CIP-11-226. During construction of Phase I of the three phase Mission Beach Drainage Project the Consultant was directed to provide additional design and submittal review for the construction of the underground drainage system. In addition the Consultant shall provide a redesign of the Santa Clara Cove Pump Station that will reduce the excavation depth thus reducing construction costs. Associated with the redesign the Consultant will perform a dewatering evaluation and peripheral environmental monitoring with the subsequent construction. On September 20, 1992, by Resolution No. R-280758 the City Council authorized the execution of a \$3,090,000 contract with Hunter Corporation for the Construction of Mission Beach Drainage Pump Station Phase I Santa Clara Cove. Contract Change Order (CCO) No. 10 will reimburse the Contractor for a subsurface geotechnical investigation and a sand containment cofferdam. The subsurface investigation will evaluate the performance of an alternate dewatering and construction proposal recommended by the Hunter Corporation. The cofferdam was constructed to protect eelgrass beds adjacent to the pump station construction site. CCO No. 11 will reimburse the Contractor delay costs due to utility relocations not within the contract scope of work.  
Aud. Cert. 9500613.

\* ITEM-120:

SUBJECT: First Amendment to the Agreement with San Diego Tennis Patrons.  
(Ocean Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-949) ADOPTED AS RESOLUTION R-285161

Authorizing a first amendment to the agreement with San Diego Tennis Patrons, for the design and construction of a community center and tennis courts at 4490 West

Point Loma Boulevard;

Authorizing the expenditure of not to exceed \$75,000  
from CDBG Fund 18530, Dept. 4063, Org. 6311, Job Order  
112482.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Tennis Patrons Association (SDTP) is a non-profit organization providing a progression of tennis activities and financial assistance to all children. The purpose of SDTP is to educate young people and develop their character, physical fitness, educational skills, and competitive spirit through learning and participating in tennis. The programs reach thousands of children, and use tennis as the vehicle to improve the quality of their lives. On May 24, 1993, City Council adopted Resolution R-282036 granting \$258,000 of CDBG funding to San Diego Tennis Patrons. On September 12, 1994, the City Council adopted Resolution R-284575 which authorized the expenditure of this funding for partial design and permit fee costs for their Ocean Beach Community Center, and the execution of an agreement with the agency for this purpose. By prior Council action, this project was authorized an additional \$75,000 of CDBG funds for this project. This action will allow the \$75,000 to be used for asphalt paving costs for this project. Aud. Cert. 9500647.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121:

SUBJECT: Change Order No. 2 for the Influent Sewer Main  
Replacement for Pump Station No. 43.  
(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-910 Cor. Copy) ADOPTED AS RESOLUTION R-285162

Approving Change Order No. 2, with Orion Construction

Corp., increasing the contract price by \$5,611.42, and authorizing an extension of time of 15 working days;

Authorizing the expenditure of not to exceed \$15,330 from Sewer Revenue Fund 41506, Annual Allocation Sewer Replacements, CIP-44-001.0.

CITY MANAGER SUPPORTING INFORMATION:

The Influent Sewer Replacement for Pump Station No. 43 has replaced approximately 631 feet of existing undersized sewer main near Pump Station No. 43 in Mission Bay Park. Toward the end of the construction phase, it was discovered that some additional items of work were required in order to rectify existing field conditions. Change Order No. 2 compensates the contractor for costs associated with the replacement of the existing electrical meter to the old pump station and for the removal and replacement planting of eucalyptus trees that were damaged by others. Removal and replacement of trees was requested by the Park and Recreation Department.

The total cost of this change order is \$5,611.42.

Aud. Cert. 9500597.

WU-U-95-054.

FILE LOCATION:                   CONT - Orion Construction Corp.  
                                  CONTFY95-1

COUNCIL ACTION:               (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Waiver of Park Use Fees in Exchange for Park  
Improvements.

(See City Manager Report CMR-94-189.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:

On 7/13/94, PF&R voted 5-0 to recommend adoption of the

following resolution. (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea):

(R-95-926) ADOPTED AS RESOLUTION R-285163

Authorizing the City Manager or his designee to waive park use fees in exchange for park improvement donations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-151:

SUBJECT: Conversion of Street Lights to High Pressure Sodium.  
(See City Manager Report CMR-94-310; See Councilmember Roberts' Memorandum dated 10/18/94. Districts-2,3,4,7 & 8.)

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:  
On 10/19/94 PS&S voted 3-1 to recommend adoption of Option C in City Manager Report CMR-94-310. (Councilmembers Kehoe, Stevens, and Vargas voted yea. Councilmember McCarty voted nay. Councilmember Roberts not present.)

(R-95-864 Cor. Copy) ADOPTED AS AMENDED AS RESOLUTION  
R-285164

Amending the current policy of converting from low pressure sodium (LPS) street lights to high pressure sodium (HPS) to add to the conversion program all remaining low pressure sodium street lights south of Interstate 8 with the conversion to take place from Fiscal Year 1996 through 1999 as existing LPS lights burn out, as contained in Option C of City Manager's Report CMR-94-310, dated October 13, 1994.

OTHER RECOMMENDATIONS:

City Manager's Recommendation:  
Adopt Option A in lieu of Option C of City Manager Report CMR-94-310.

CITY MANAGER SUPPORTING INFORMATION:

On October 19, 1994, the Public Services and Safety Committee considered the matter of modification to the current street light high pressure sodium conversion policy which is now limited to selected streets and business districts and all "high crime" areas (census tracts) south of Interstate 8 in which the crime rate is 1.5 times the City average. Of the policy options presented to PS&S, the Committee voted to recommend Option C. Option C would convert all remaining low pressure sodium street lights south of I-8 with this conversion to take place between Fiscal Years 1996 and 1999 as existing lights burnout.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D177-F323.)

Motion by Stevens to adopt Option C of the City Manager's recommendation. Substitute motion by Stallings to refer this item to the PS&NS Committee to evaluate the number of new low pressure sodium light fixtures that can be installed and maintained in place of adopting any of the proposals that have been put forth today. Accept Council Member Harvey's recommendation to study the possibility of converting the areas that are regularly used by the public. Council Member Stallings withdrew her motion.

Substitute motion by Stallings to take the money that is to be used to convert to high pressure sodium and add 1,000 more light fixtures in the City starting in the area south of I-8. This should be done in conjunction with a new policy to have the light fixtures spaced in such a way as to create more light. Second by McCarty. Failed. Yeas-5,6,7. Nays-1,2,3,4,8,M. Not present-none. Council Member Stevens withdrew his motion.

MOTION BY KEHOE TO ADOPT OPTION B AND TO ACCEPT MAYOR GOLDING'S RECOMMENDATION TO REFER THE FUNDING ISSUE FOR THIS PROJECT TO THE CITY MANAGER. Second by Stevens. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-nay, Stallings-nay, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Consideration of Applicants to Fill the Vacancy of the Councilmember for Council District 2.  
(See memorandum from the City Clerk dated 1/3/95.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-95-1042) ADOPTED AS RESOLUTION R-285165

A public hearing to consider applicants for appointment to fill the vacancy of the Councilmember for Council District 2. At the conclusion of today's public hearing, Council may either: (1) Appoint a new member; or (2) Elect to hold a second public hearing to consider the finalists and make an appointment.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B370-D176.)

The first ballot was taken, and Clerk Abdelnour announced the tally for Round 1: Harvey-7; Grosch-1.

MOTION BY STEVENS TO ADOPT THE RESOLUTION CONFIRMING THE APPOINTMENT OF SCOTT HARVEY. Second by McCarty. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Equal Employment Opportunity Program Proposed Ordinance.  
(See City Manager Report CMR-94-402.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-95-73) INTRODUCED, TO BE ADOPTED JANUARY 23, 1995

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code, by adding Division 27, establishing an Equal Employment Opportunity Program.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: F390-G265.)

MOTION BY STEVENS TO ADOPT THE CITY MANAGER'S RECOMMENDATION

AND TO RETURN TO COUNCIL WITHIN 30 DAYS WITH: 1) THE RULES AND REGULATIONS FOR THE IMPLEMENTATION AND ENFORCEMENT OF THIS PROGRAM; AND 2) A RESPONSE TO THE QUESTION RAISED AS TO WHETHER SUBCONTRACTORS CAN BE INCLUDED IN THE DEFINITION OF "CONTRACTORS". DIRECT THE CITY MANAGER TO ESTABLISH LETTERS OF COOPERATION WITH BOTH THE STATE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING AND WITH THE FEDERAL EQUAL OPPORTUNITY CONTRACTING PROGRAM TO HELP THE CITY WITH THE ENFORCEMENT OF THIS ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Consideration of nominees for appointment to the San Diego Convention Center Corporation, Inc. Board of Directors. (See memorandum from Mayor Golding dated 12/14/94 with resumes attached.)

MAYOR GOLDING'S RECOMMENDATION:

Consider the following list of nominees and select two to fill vacancies on the San Diego Convention Center Corporation, Inc. Board of Directors:

NOMINEE	NOMINATED BY
Fahari Jeffers	Mayor Golding
Randa McDaniel Trapp	Councilmember Vargas
Stephen P. Cushman	Mayor Golding & Councilmember Warden

TODAY'S ACTION IS:  
(R-95-963) ADOPTED AS RESOLUTION R-285166

Adoption of a Resolution making two appointments for three-year terms to expire December 1, 1997, to replace Mel Katz and Patricia McQuarter, whose terms have expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

Council Member Vargas announced that Randa McDaniel Trapp had withdrawn her name from consideration.

CONSENT MOTION BY KEHOE TO ADOPT, CONFIRMING THE APPOINTMENTS OF FAHARI JEFFERS AND STEPHEN P. CUSHMAN TO THE BOARD. Second by Stallings. Passed by the following vote:

Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea,  
Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor  
Golding-yea.

ITEM-203:

SUBJECT: Declaring a Continued State of Emergency regarding the  
Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.  
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-940) ADOPTED AS RESOLUTION R-285167

Declaring a continued State of Emergency regarding the  
discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every fourteen days until the local emergency is declared to be terminated. The State of Emergency was first declared by City Council on September 7, 1993. This action requests the continuation of the State of Emergency and authorization for the City Manager to execute all necessary



contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Two actions related to the Fiesta Island Replacement  
Project/Northern Sludge Processing Facility - Yard  
Piping and Power Distribution.  
(NAS Miramar Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-537) ADOPTED AS RESOLUTION R-285168

Awarding a contract to Nielsen-Dillingham Builders in the amount of \$19,538,767, for the Fiesta Island Replacement Project/Northern Sludge Processing Facility - Yard Piping and Power Distribution, provided that the City Auditor first furnishes one or more certificate(s) demonstrating that the funds necessary for expenditure under the contract are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of not to exceed \$22,001,100 for funding the construction contract, contingency, City Forces work and other related costs from Fund 41509, CIP-42-911.4, Northern Sludge Processing Facility, Phase II, provided that the City Auditor first furnishes one or more certificate(s) demonstrating that the funds necessary for expenditure under established contract funding phases are, or will be, on deposit in the City Treasury, according to the following funding schedule:

FY95	Phase 1	\$7,521,175
	Phase 2	\$5,316,644
FY96	Phase 3	\$1,836,393
	Phase 4	\$5,938,876

Phase 5      \$1,388,012

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves;

Authorizing the City Manager to enter into Change Order No. 1 issued in connection with the contract between the City and Nielsen-Dillingham Builder Joint Venture, for a revised access road and construction staging area configuration in the contract, provided that the net increase in the contract price shall not exceed \$50,000. (BID-K94106)

Subitem-B: (R-95-538) ADOPTED AS RESOLUTION R-285169

Authorizing the use of City Forces to make connections and perform operational checks involving Fiesta Island Replacement Project/Northern Sludge Processing Facility-Yard Piping and Power Distribution; the cost of the work shall not exceed \$20,000.

CITY MANAGER SUPPORTING INFORMATION:

The Yard Piping and Power Distribution is the second of nine construction contracts for the Fiesta Island Replacement Project/Northern Sludge Processing Facility (FIRP/NSPF). Council Resolution R-284370, dated August 1, 1994 authorized the Purchasing Agent to advertise for bid of the Yard Piping and Power Distribution. In order to comply with U.S. Fish and Wildlife Service requirements, the MWWDD will negotiate a Change Order once the Yard Piping and Power Distribution contract is awarded and is requesting authorization for up to \$50,000 for this purpose. Mitigation Measures related to this action have been incorporated into this package. In accordance with Federal Grant Provisions for the Yard Piping and Power Distribution Contract, the fair share goal is 8 percent combined MBE and/or WBE participation. The actual participation is 4.6 percent MBE and 8.3 percent WBE. A total of 391 local jobs would be created by this contract.

Aud. Cert. 9500587.

FILE LOCATION:                      CONT - Nielsen-Dillingham Builders  
    CONTFY95-1

COUNCIL ACTION:                    (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District

2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205:

SUBJECT: Inviting Bids for the Chlorination Building for the  
North City Water Reclamation Plant.  
(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-533) ADOPTED AS RESOLUTION R-285170

Inviting bids for the Construction of the Chlorination  
Building for the North City Water Reclamation Plant on  
Work Order No. 194560;

Authorizing the City Manager to establish contract  
funding and execute a contract with the lowest  
responsible bidder, based on the actual low bid  
submitted, provided that the City Auditor first  
furnishes a certificate demonstrating that the funds  
necessary for expenditure are, or will be, on deposit  
in the City Treasury;

Authorizing the expenditure of \$4,365,760 from  
CIP-42-910.1, NCWRP Chlorination Building for providing  
funds for this project and related costs, provided that  
the City Auditor first furnishes one or more  
certificates demonstrating that the funds necessary for  
expenditure under established contract funding phases  
are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller, upon  
advice from the administering department, to transfer  
excess budgeted funds, if any, to the appropriate  
reserves;

Stating for the record that the previously certified  
Environmental Impact Report EIR-91-0516, was reviewed  
and considered for this action. (BID-K95107)

CITY MANAGER SUPPORTING INFORMATION:

The Chlorination Building is the twelfth of several construction  
contracts for the North City Water Reclamation Plant (NCWRP).  
This contract packaging for the Chlorination Building has been

completed. Mitigation measures related to this action have been incorporated into each package. At this time approval to advertise for bids and award for this package is requested. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with the Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated as follows:

Chlorination Building: \$4,365,760.

The Chlorination Building construction contract will be phase funded.

The total number of local jobs created by this contract is approximately 87.

FILE LOCATION: W.O. 194560 CONTFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: City of San Diego Ultra-Low Flush Toilet Rebate  
Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-907) ADOPTED AS RESOLUTION R-285171

Authorizing the City Manager to continue the Ultra-Low  
Flush Toilet Rebate Program;

Authorizing the City Manager to enter into a Memorandum  
of Understanding with the San Diego County Water  
Authority (CWA) for the receipt of \$2,371,704 from the  
CWA and the Metropolitan Water District (MWD) of  
Southern California to be used to pay for two-thirds of  
the program costs for approximately 34,000 ultra-low  
flush toilet rebates;

Authorizing Amendment No. 2 to the Agreement with VIEWtech, for services associated with the day-to-day operation of the Rebate Program in an amount not to exceed \$3,371,704;

Authorizing the Auditor and Comptroller to increase the annual appropriation in Water Utilities Operating Fund 41500, Program 70622 by \$2,371,704 for the City of San Diego's Rebate Program;

Authorizing the expenditure of not to exceed \$3,371,704 from Water Utilities Operating Fund 41500, Water Conservation Program, for the purpose of operating the Rebate Program in Fiscal Year 1995.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the continuation of the City of San Diego's Ultra-Low Flush Toilet Rebate Program (Rebate Program). It authorizes the City Manager to enter into a Memorandum of Understanding with the San Diego County Water Authority (CWA) which provides matching funds from the CWA and the Metropolitan Water District (MWD) of Southern California for approximately 34,000 rebates. It further authorizes the City Manager to amend an agreement with the consulting firm of VIEWtech for services associated with the day-to-day operation of the Rebate Program. This voluntary water conservation program provides City residents with a rebate of up to \$75 for each installed ultra-low flush toilet (ulft). Between May of 1991 and September of 1994, the City's Rebate Program issued more than 75,000 rebates to City water customers. Forty percent of the program's total funding came from the MWD and twenty-five percent from the CWA. In FY 95, co-funding is again available from the CWA and MWD for over sixty-five percent of Rebate Program costs. This action will allow the City to take advantage of the co-funding available and continue this popular water conservation program.  
Aud. Cert. 9500605.

WU-WC-95-080.

FILE LOCATION: MEET CONFY95-2

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: City Policy Regarding Alternative Fuel Vehicles.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-95-975) ADOPTED AS RESOLUTION R-285172

Directing the City Manager to prepare a draft Council Policy for consideration by the Committee on Natural Resources, Culture and the Arts establishing standards for conversion of the City fleet to Alternative Fuel Vehicles in as expeditious a manner as possible;

Declaring that the draft Policy should require future fleet purchases to be Alternative Fuel Vehicles whenever possible.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: Acquisition of 1.52 Acres for Open Space - Park De La Cruz.  
(Mid-City Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-943) ADOPTED AS RESOLUTION R-285173

Resolution of Intention to hold a hearing to determine whether the San Diego Open Space Park Facilities District No. 1 should acquire 1.52 acres of Park de la Cruz.

CITY MANAGER SUPPORTING INFORMATION:

This is an exception to the listings of open space for the following reasons. Park de la Cruz is a planned 8.22 acre park in Mid-City, an area deficient in park land per General Plan Standards. City staff has coordinated with CalTrans on this project to have CalTrans place excess dirt from their I-15 freeway expansion project within the adjacent canyon area to create parcels suitable for active and passive park uses. This will bring the total park acreage to 9.74. In that the land must be City-owned for us to accept the dirt placement, timing of the acquisition of this land is critical to successful completion of the park project. The estimated total cost for acquisition is \$1,300,000. Funds available in the Mid-City Park fund are not sufficient to acquire the land needed to complete the park acquisition. It is therefore recommended that remaining open space bond funds be utilized to supplement available Mid-City Park Funds, to complete the acquisitions, with the agreement that these funds will be repaid to the Open Space Acquisition Fund when they become available in the future. This request is for \$929,000 to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs. Aud. Cert. 9500599.

FILE LOCATION: STRT OS-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: CONTINUED TO JANUARY 17, 1995

SUBJECT: U.S.O. Relocation.

(See City Manager Report CMR-94-374.)  
(Continued from the meeting of November 28, 1994, Item  
129, at the City Manager's request, for further  
review.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-95-842)

Authorizing the City Manager to purchase property  
needed for the relocation of the USO to allow the City

to proceed with Convention Center expansion;

Authorizing the expenditure of not to exceed \$2,100,000 for acquisition of property rights and related costs from Convention Center Expansion Fund 102212, provided that such funds are to be paid by the San Diego Unified Port District or reimbursed to the City by the Port District pursuant to the Memorandum of Understanding dated June 21, 1994, Council Resolution No. R-284126;

Authorizing the Auditor and Comptroller to advance funds as required from the Transient Occupancy Fund to the Convention Center Expansion Fund, based on earned revenue receivable, in the event the funds have not yet been received from the Port District at the time they are required to be paid. Advances will be returned upon the receipt of earned revenue.

Aud. Cert. 9500554.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO CONTINUE TO JANUARY 17, 1995, AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Stallings. Passed by the following vote: Mathis-yea, District 2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

SUBJECT: Strides Across the Border Day.

DEPUTY MAYOR VARGAS' RECOMMENDATION:

Adopt the following resolution:

(R-95-936) ADOPTED AS RESOLUTION R-285174

Proclaiming Monday, January 9, 1995 to be "Strides Across the Border Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B110-121.)

MOTION BY STALLINGS TO ADOPT ITEMS 31 AND S400. Second by Warden. Passed by the following vote: Mathis-yea, District



2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-S401:

SUBJECT: Settlement of the Personal Injury Claim of Bryan  
Joel-Nicholas Pyant.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-976) ADOPTED AS RESOLUTION R-285175

A Resolution approved by the City Council in Closed Session  
on Tuesday, December 6, 1994 by the following vote:  
Mathis-yea; Roberts-yea; Kehoe-yea; Stevens-yea; Warden-yea;  
Stallings-not present; McCarty-not present; Vargas-not  
present; Mayor-not present.

Authorizing the City Manager to pay the total sum of \$90,000  
in the settlement of each and every claim against the City,  
its agents and employees, resulting from the personal  
injuries to Bryan Joel-Nicholas Pyant (Superior Court Case  
No. 668404, Bryan Joel-Nicholas Pyant v. City of San Diego,  
et al.);

Authorizing the City Auditor and Comptroller to issue one  
check in the total amount of \$90,000 made payable to Bryan  
Joel-Nicholas Pyant and his attorney of record, The Law  
Offices of Richard M. Lester, in full settlement of the  
lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION:

This constitutes the complete and final settlement of the  
personal injury claim of Bryan Joel-Nicholas Pyant against the  
City of San Diego, its agents and employees, as a result of an  
incident which occurred on September 10, 1992.  
Aud. Cert. 9500667.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-S402: CONTINUED TO TUESDAY, JANUARY 17, 1995,  
AT 10:00 A.M.

SUBJECT: Appointment to the Civil Service Commission.  
(See memorandum from Mayor Golding dated 1/5/95 with  
resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:  
(R-95-1024)

Council confirmation of the Mayor's appointment of  
Daniel Eaton to serve as a member of the Civil Service  
Commission for a term ending January 9, 2000, replacing  
Reverend Clyde E. Gaines, whose term has expired.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO CONTINUE TO TUESDAY, JANUARY 17,  
1995 AT 10:00 A.M. AT THE REQUEST OF JUDIE ITALIANO FOR  
FURTHER REVIEW. Second by Stallings. Passed by the  
following vote: Mathis-yea, District 2-vacant, Kehoe-yea,  
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,  
Vargas-yea, Mayor Golding-yea.

ITEM-S403:

SUBJECT: The Republican National Convention.  
(See City Manager Report CMR-95-07.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-1020) ADOPTED AS RESOLUTION R-285176

Directing the City Manager to negotiate and execute a  
"Site City" Agreement with the Republican National  
Committee under which the City agrees to host the 1996  
Republican National Convention;

Negotiating and authorizing an agreement with the San  
Diego Host Committee under which the Committee agrees

to assist the City in defraying the monetary costs of hosting the 1996 Republican National Convention and providing "in-kind" services;

Authorizing the City Manager to budget and commit an estimated \$2 million in increased sales and transient occupancy taxes which are anticipated to be derived from the 1996 Republican National Convention to assist in defraying any costs incurred by the City in hosting the Convention;

Authorizing the City Auditor and the City Manager to:

1. Cause the establishment of trust funds,
  2. Accept contributions,
  3. Budget funds received, and
  4. Subject to the annual appropriation ordinances of the City Council, expend or transfer funds to the appropriate departments and agencies for purposes related to hosting the 1996 Republican National Convention, provided that, the City Auditor certifies that the funds necessary for expenditure are, or will be on deposit in the City Treasury; and Authorizing the expenditure of \$30,000 from the Major Event Fund (Fund 102241) for immediate expenses related to meetings and negotiations with the Republican National Committee concerning the 1996 Convention.
- Aud. Cert. 9500721.

FILE LOCATION: MEET CONFY95-1

COUNCIL ACTION: (Tape location: B122-359.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Stallings.  
Passed by the following vote: Mathis-yea, District  
2-vacant, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,  
McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:  
None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 6:45 p.m. in honor of the memory of:

Gladstone E. "Vinnie" Vinson, as requested by Mayor  
Golding and City Attorney Witt;  
DeWitt "Dutch" Higgs, as requested by Mayor Golding and  
City Attorney Witt;  
Gary Bradshaw and Irwin "Irv" Steinhardt, as requested  
by Council Member Warden; and  
Adrian Baca, as requested by Deputy Mayor Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G266-316.)